

VIA FIRST CLASS MAIL

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Laurie Olds

LUD-5543.3 JEL/NDH (10027207)

#15
JM
6/21/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant : L. DUMOUTIER, et al.
Serial No. : 09/751,797
Filed : December 29, 2000
For : ISOLATED NUCLEIC ACID MOLECULES WHICH ENCODE T CELL INDUCIBLE FACTORS (TIFs), THE PROTEINS ENCODED, AND USES THEREOF
Art Unit : 1644
Examiner : Amy Decloux

March 5, 2003

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

NOTICE OF APPEAL
(37 CFR §1.191, MPEP 1205)


The claims in this application have been twice rejected. Pursuant to the above referenced sections of the CFR and MPEP, applicants hereby appeal the rejection of the claims.

Applicants are appealing the rejections of claims 1, 3, 4, 7, 8, 10, 11, 14, 15, 16, 18, 19 and 50. All but claim 50 have been twice rejected, but the rejection of claim 50 is identical to the rejection applied twice to the remaining claims.

The required fee, pursuant to 37 CFR §1.17(b), is \$160.00. A check in this amount accompanies this Notice. Should the check become dislodged and lost, or the fee be incorrect in any way, authorization is given to make the appropriate adjustment to Deposit Account 500624.

Respectfully submitted,

FULBRIGHT & JAWORSKI, L.L.P.


Norman D. Hanson, Esq.
Registration No. 30,946

25270492.1

CHECK NO: 43433

Commissioner of Patents and Trademarks

VENDOR: 158067

FULBRIGHT & JAWORSKI L.L.P.

APPR#	INVOICE#	DATE	AMOUNT	DESCRIPTION	VOUCHER#
01030	0305/1030	03-05-03	160.00	Notice of appeal filing fee/10027207	10358245

FULBRIGHT & JAWORSKI L.L.P.

A Registered Limited Liability Partnership
666 Fifth Avenue
New York, New York 10103

43433

Citibank N.A.
Operating Account
153 E. 53rd Street, 20th Floor
New York, NY 10043

Check Date

Mar 05, 2003

Amount

\$ 160.00

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TO THE ORDER OF
Commissioner of Patents and Trademarks
Washington, D.C. 20231

William Bush
Authorizing Signature

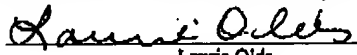
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⑈43433⑈ ⑆021000089⑆ 400 0928874⑈

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VIA FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner of Patents and Trademarks, Washington, D.C. 20231 on June 6, 2003.


Laurie Olds

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June 6, 2003

Hon. Commissioner of Patents
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Washington, D.C. 20231

LETTER

During a June 5 conversation with Primary Examiner Saunders concerning another application, the undersigned was advised that the examiner assigned to this application had approached Examiner Saunders because, while she had received a Brief on Appeal, she had not received a Notice of Appeal.

A Notice of Appeal was timely sent, and carried a certificate of mailing. Apparently, it was lost in the mail or at the PTO since applicants did not receive the stamped, return receipt postcard.

Pursuant to 37 CFR §1.8(b)(1), applicants are advising the USPTO promptly after they became aware that the PTO has no record of the correspondence.

Pursuant to 37 CFR §1.8(b)(2), a copy of the previously mailed correspondence and certificate is attached.

Pursuant to 37 CFR §1.8(b)(3), a certificate attesting to the personal knowledge of Laurie Olds is attached.

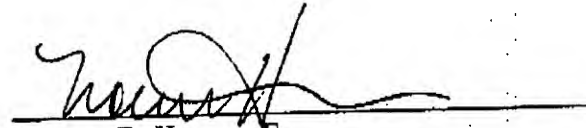
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LUD 5543.3 JEL/NDH (10027207)

Hence, the requirements of the regulation are satisfied.

Respectfully submitted,

FULBRIGHT & JAWORSKI, L.L.P.

A handwritten signature in dark ink, appearing to read "Norman D. Hanson", is written over a horizontal line.

Norman D. Hanson, Esq.
Registration No. 30,946

10:27 AM 6/6/03 Transmission Record
Received from remote ID "212 318 3788"
Unique ID: "ADE3EE06CB5549B"
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Used channel 0.
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Laurie Olds
Laurie Olds

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**STATEMENT
OF LAURIE OLDS
(37 CFR §1.8(b)(3))**

Laurie Olds, Esq., hereby states as follows:

1. I am an assistant to Norman Hanson, the attorney in charge of the above application.
2. On March 5, 2003, I prepared a Notice of Appeal for this application, a copy of which is attached. I sent it via first class mail, as is attested to on the Notice of Appeal.
3. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

June 6, 2003
Date

Laurie Olds
Laurie Olds, Esq.

25303446.1

ND14

Atty Docket No.: LUD-5543.3

Reference:

Inventor: L. Dumoutier, et al.

Application 09/751,797

Filing Date: 12/29/00

Title:

ISOLATED NUCLEIC ACID MOLECULES WHICH ENCODE T CELL
INDUCIBLE FACTORS (TIFs), THE PROTEINS ENCODED AND USES. .

Documents Filed:

Notice of Appeal

Check for \$160.00 filing fee

Via: First Class Mail

Sender's LO

Date: 03/05/03

